

**ORDINANCE NO. 2017 - 01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTIONS 5.68.050, 16.04.010, 16.04.180, 16.10.040, 16.10.080, 16.14.060, 16.24.040, 16.36.070, 17.04.010, 17.08.010, 17.18.030, 17.18.040, 17.20.020, 17.90.020, AND 17.130.020 OF THE SOUTH JORDAN CITY MUNICIPAL CODE.**

**WHEREAS**, Utah Code §10-9a-102 grants the City Council of the City of South Jordan (“City Council”) the authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (“City”); and

**WHEREAS**, the City Council has adopted Titles 5, 16 & 17 of the South Jordan City Municipal Code (“City Code”); and

**WHEREAS**, the City Council desires to enact text amendments that clarifies language within Titles 5, 16, & 17; and

**WHEREAS**, the City’s Planning Commission held a public hearing, reviewed and made a recommendation concerning the subject text amendments; and

**WHEREAS**, the City Council held a public hearing and reviewed the subject text amendments; and

**WHEREAS**, the City Council finds that the subject text amendments will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:**

**SECTION 1. Amendment.** The following sections of the City Code are hereby amended:

<b>Section</b>	<b>Identified By</b>
5.68.050	Exhibit A
16.04.010	Exhibit B
16.04.180	Exhibit C
16.10.040	Exhibit D
16.10.080	Exhibit E
16.14.060	Exhibit F
16.24.040(A)	Exhibit G
16.36.070(F)	Exhibit H
17.04.010	Exhibit I
17.08.010	Exhibit J
17.18.030.030(A)(5)	Exhibit K
17.18.040(D)(4)	Exhibit L
17.20.020	Exhibit M
17.90.020(C)	Exhibit N
17.130.020.005(A)	Exhibit O

**SECTION 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

**SECTION 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 3 DAY OF January, 2017 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	_____	_____	_____
Bradley Marlor	<u>X</u>	_____	_____	_____
Donald Shelton	<u>X</u>	_____	_____	_____
Tamara Zander	<u>X</u>	_____	_____	_____
Christopher Rogers	<u>X</u>	_____	_____	_____

Mayor:   
 David L. Alvord

Attest:   
 City Recorder

Approved as to form:

  
 Office of the City Attorney



## EXHIBIT A

### SECTION 5.68.050 (ZONING AND LOCATION RESTRICTIONS)

#### 5.68.050

It is unlawful for any sexually oriented business to do business at any location within the city not zoned for such business. Sexually oriented businesses licensed pursuant to this chapter shall only be allowed in areas zoned for their use. Businesses licensed by this chapter shall comply with the land use regulations and zoning requirements of title 17, "Planning And ~~Zoning~~Land Use Code", of this code.

**EXHIBIT B**

**SECTION 16.04.010 (SHORT TITLE)**

**16.04.010**

This title may be cited as the SUBDIVISION AND DEVELOPMENT CODE~~ORDINANCE~~ of ~~South Jordan City~~. The chapters and sections of this title may be cited as chapters and sections of said ordinance.

## EXHIBIT C

### SECTION 16.04.180 (STREETS)

#### 16.04.180

A. Standard Street Rights Of Way: ~~Public street rights of way shall be as shown in the city standard plans and specifications for the classification of the street that is to be installed and shall be dedicated to the city. All public street improvements shall be installed according to the city standard plans and specifications as approved by the city engineer. The city engineer may allow or require other public right of way widths and waive or modify requirements for pavement, curb and gutter, sidewalks and park strips.~~

~~Streets in PUDs, condominium projects, and other private developments shall be built as follows:~~

1. ~~a.~~ Public Streets: Public streets are strongly encouraged. Proposed public street rights of way and improvements shall comply with the City's Construction Standards and Specifications and shall be dedicated to the City. The City Engineer may allow or require other public right of way widths and waive or modify requirements for pavement, curb and gutter, sidewalks and park strips upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City. ~~Construction of public improvements in PUDs, condominium projects, and other private developments shall be constructed per the city standard plans and specifications for public streets, with standard construction widths, cross-section, streetlights, and construction requirements, except as may be modified under this subsection A.~~

2. ~~b.~~ Private Streets: Private streets are strongly discouraged. When approved, private street rights of way and improvements shall comply with the City's Construction Standards and Specifications. The City Engineer may allow or require other right of way widths and waive or modify requirements for pavement, curb and gutter, sidewalks and parks strips upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City. ~~cross-sections shall be built to city standard plans and specifications public street standards except as may be modified as noted under this subsection A, however i~~n all cases, however, pavement/subbase thickness/depth shall be designed and built as required for public streets, as described the City's Construction Standards and Specifications. in this section. ~~Streetlights within private streets in PUDs shall be private and designed with a meter setting per Rocky Mountain Power standards. Private streets shall be bonded the same as a public street including, but not limited to, road construction, curb and gutter, sidewalk, streetlights, storm drainage, and water system. At the acceptance of the improvements by the city, one hundred percent (100%) of the bond will be released with no retainage for warranty; except for those improvements that will be publicly maintained and owned, if any.~~

B. Street Dedication: The developer shall dedicate rights of way and install improvements for proposed streets which are planned to adjoin or traverse the project or which are necessary for the development. The entire proposed right of way shall be dedicated according to the

design width specified by the city transportation master plan and the city standard plans and specifications unless the proposed right of way is planned to traverse other properties not controlled by the developer. In such cases, the planning commission may require a partial right of way width dedication or require adjustments to the alignment so that only the developer's property is required to be dedicated. Street improvements may not be required on other properties which have been dedicated for future road development. In cases where only a partial street is possible, said street shall have a right of way dedication of no less than forty feet (40') and shall have sufficient pavement to accommodate potential traffic as determined by the city engineer.

- C. Gated Developments: Unless otherwise approved by the planning commission, gated developments are expressly prohibited.
- D. Adjacent Properties: In order to accommodate access to an adjacent parcel which is not a part of a proposed development and not sufficiently wide enough to accommodate its own access, streets or private access shall be planned and constructed adjacent to the project boundary in order to allow future completion of the street or access improvements when the adjacent property is developed. In such cases, the provisions of subsection B of this section shall be implemented. With approval of the planning commission, the developer may, by agreement with the city and according to procedures and conditions recommended by the city attorney, record a minimum one foot (1') wide protection strip between the street and the project boundary or enter into a pioneering/reimbursement agreement, except at the ends of "stub" streets, in order to obtain reimbursement for public road improvements from the future developer of the adjacent parcel. A protection strip may also be established along any partially constructed street with approval of the planning commission.
- E. Future Access And Landlocked Properties: Subdivisions and other developments shall be designed so that proposed streets/accesses will be connected to existing streets/accesses, except if the existing street is a cul-de-sac in a recorded plat. Development shall provide future access and utilities (stub streets) built to city standards to adjoining developable parcels, as needed, with the intent that all area properties have the opportunity to be duly developed without being landlocked unnecessarily.

A metal sign shall be required at the end of a public stub street to inform property owners of the eventual connection to future development. Recorded plats shall also be required to indicate future street connections.

- F. Block Length: To help promote accessibility and the spreading of traffic, subdivision street design shall include a stub street at least every one thousand two hundred feet (1,200'), unless otherwise recommended by the city engineer and approved by the planning commission.
- G. Secondary Access: For public safety reasons, secondary access for specific subdivisions and site plans should be secured. By recommendation of the city engineer and fire code official, the planning commission may require secondary public access for subdivisions with a total of ten (10) or more lots and for sizable nonsingle-family residential developments.

- H. Turnaround Access: Where a stub street is provided which accesses more than two (2) lots on each side, a temporary turnaround and public use easement or right of way shall be recorded as determined by the city engineer. The type and size of the turnaround shall be as determined by the city engineer in consultation with the city fire code official and shall be required on the adjoining vacant land or on the subject development until the stub street is opened to adjoining development. The city engineer may require improvements to be installed in temporary turnaround areas as deemed necessary.
- I. Cul-De-Sac Streets: Cul-de-sacs, where approved, shall not ~~be longer than exceed~~ six ~~seven~~ hundred ~~five~~ feet (600-750') in length ~~unless approved by the planning commission upon recommendations of the city engineer and fire code official~~, as measured from the center of the intersection of a connecting through street to the center of the turnaround area. The Planning Commission may allow cul-de-sac street lengths great than 600' upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City, with the recommendation of the City Engineer and Fire Code Official. Cul-de-sac streets shall terminate in turnaround areas as follows:
1. Eighty feet (80') (edge of asphalt to edge of asphalt, not including gutter pan) for cul-de-sac lengths up to one hundred fifty feet (150'). Right of way for dedicated turnarounds shall be a minimum of one hundred seven feet (107') in diameter unless modified as per subsection A of this section.
  2. Ninety six feet (96') (edge of asphalt to edge of asphalt, not including gutter pan) for cul-de-sac lengths from one hundred fifty one (151) to seven hundred fifty feet (750'). Right of way for dedicated turnarounds shall be a minimum of one hundred twenty three feet (123') in diameter unless modified as per subsection A of this section.
  3. Cul-de-sacs over four hundred feet (400') in length shall require the water line to be tied to two (2) feed sources, or looped, as approved by the city engineer and shall require fire hydrants to be spaced at a maximum of three hundred fifty feet (350') apart. The city engineer working with public works department and the fire code official may modify this requirement as deemed necessary.
  4. Cul-de-sacs under four hundred feet (400') in length shall require that fire hydrants be spaced at a maximum distance of four hundred feet (400') apart.
  5. ~~Cul-de-sacs over six hundred feet (600') in length shall require houses to be sprinklered beyond six hundred feet (600') from the connector street, as approved by the city fire code official.~~ Cul-de-sacs shall be designed to allow stormwater to drain to the intersection unless adequate drainage facilities are provided in the turnaround area.

## EXHIBIT D

### SECTION 16.10.040 (PRELIMINARY SUBDIVISION PLAT APPLICATION)

#### 16.10.040

The owner or authorized agent of the property shall make application for preliminary subdivision review by electronic submittal to the Development Services Department. Only complete applications, as determined by the Development Services Director, The preliminary subdivision plat application shall will be reviewed by the city staff. The Planning Commission will review the application in a public hearing, which will not be scheduled without first satisfying all submittal requirements. and planning commission prior to submittal of a final plat application for the subdivision. City staff will review the preliminary plat and discuss it in a development review committee meeting. Any requirements of this section considered by the development services director or the city engineer to be nonapplicable to a specific project may be waived or altered in writing by the city except as required by state law. The preliminary plat application shall consist of the following information or other information as required by the community development department or city engineer:

- A. ~~A completed application form and~~ Owner's affidavit.
- B. Payment of the application fee set by the city council and the cost of notices.
- C. A Salt Lake County plat of the subject parcels, the acreage and legal description of the area to be subdivided and boundaries of all parcels within three hundred feet (300') of the subject area.
- D. A listing of names and addresses, with address labels and postage, for owners of record at the Salt Lake County recorder's office of the subject property and properties within three hundred feet (300') of the subject property as required in chapter 16.04 of this title.
- E. ~~Three (3) twenty four inch by thirty six inch (24" x 36") copies and two (2) eleven inch by seventeen inch (11" x 17") reduced~~ An electronic copyies of the subdivision plat and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

## EXHIBIT E

### SECTION 16.10.080 (FINAL SUBDIVISION PLAT APPLICATION)

#### 16.10.080

A final subdivision plat application shall be submitted electronically to the ~~community~~ Development Services Department for any proposed subdivision only after the preliminary subdivision plat has been approved by the City. The final subdivision plat application shall be reviewed by City Staff and may be discussed in a development review committee meeting. Any requirements of this section considered by the ~~community~~ Development Services Director or the City Engineer to be nonapplicable to a specific project may be waived or altered in writing by the City, except as required by state law. The final plat application shall consist of the following information or other information as required by the ~~community~~ Development Services Department or City Engineer:

A. ~~A completed application form.~~ Owner's Affidavit.

B. Payment of the application fee set by the City.

C. ~~Seven (7) twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced~~ An electronic copy of the subdivision plat and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the City:

## EXHIBIT F

### SECTION 16.14.060 (SUBDIVISION AMENDMENT APPLICATION)

#### 16.14.060

Amendments to platted subdivisions shall be done in accordance with sections 10-9a-207, 10-9a-208, 10-9a-608, 10-9a-609.5 and any other applicable sections of the Utah Code Annotated, as from time to time may be amended. An application for a plat amendment shall be made by electronic submittal to the Development Services Department. The Only complete plat amendment applications, as determined by the Development Services Director, shall will be reviewed by the city staff at a development review committee meeting before the public hearing held by the land use authority. The Planning Commission will review the application in a public hearing, which will not be scheduled without first satisfying all submittal requirements. Any requirements of this section considered by the community development Development Services dDirector or the eCity eEngineer to be nonapplicable to a specific project may be waived or altered in writing by the city, except as required by state law. The proposed plat vacation, alteration, or amendment application shall consist of the following information or other information as required by the community development Development Services dDepartment or eCity eEngineer:

A. ~~A completed application form.~~ Owner's Affidavit.

B. Payment of the application fee set by the eCity.

C. ~~Seven (7) twenty-four inch by thirty-six inch (24" x 36") copies and one eleven-inch by seventeen-inch (11" x 17") reduced.~~ An electronic copy of the amended subdivision plat and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the city:

## EXHIBIT G

### SECTION 16.24.040(A) (SITE PLAN APPLICATION)

#### 16.24.040(A)

A. ~~Application for site plan review shall be made by t~~The owner or authorized agent of the property shall make application for site plan review by electronic submittal to the Development Services Department. The~~Only complete~~ site plan applications, as determined by the Development Services Director, will be reviewed by eCity sStaff. A site plan application will not be scheduled for planning commission review without first satisfying all submittal requirements. The following items shall be submitted:

~~1. Application form.~~

~~1.2. Owner's or agent's a~~Affidavit.

~~2.3. Application fee.~~

~~3.4. Mailing labels and postage for adjacent property owners within three hundred feet (300') of the subject parcel obtained from the Salt Lake County recorder's office.~~

~~4.5. Seven (7) twenty four inch by thirty six inch (24" x 36") copies and one eleven inch by seventeen inch (11" x 17") reduced~~ An electronic copy of the site plan and the certified engineering drawings drawn to an acceptable scale, showing the following, and other information as requested by the eCity:

## EXHIBIT H

### SECTION 16.36.070(F) (MISCELLANEOUS SIGNS)

#### 16.36.070(F)

F. Temporary Commercial, and Residential ~~And PUD~~ Development Signs: Each commercial and residential development shall be allowed real estate signs subject to the following standards. Signs permitted under this subsection shall not be installed until and unless a final plat has been recorded for the development for residential, or until a final site plan approval has been granted for commercial developments. Design review and approval by planning staff is required for the following types of development signs. No sign may be erected without a permit from the city of South Jordan. An approval sticker, provided by the city, shall be affixed to all residential development signs in a conspicuous place visible from the street.

**EXHIBIT I**

**SECTION 17.04.010 (SHORT TITLE)**

**17.04.010**

This title, including the zoning map, shall be known and may be cited as the PLANNING AND ZONING ~~LAND USE CODE~~ ORDINANCE OF SOUTH JORDAN CITY.

## **EXHIBIT J**

### **SECTION 17.08.010 (DEFINITIONS)**

PLANNING AND ~~ZONING~~ ~~LAND-USE CODE~~ ORDINANCE: The body of land use regulations contained in this title, including the official zoning map of the city.

**EXHIBIT K**

**SECTION 17.18.030.030(A)(5) (USE REGULATIONS)**

**17.18.030.030(A)**

5. Household Ppets may be allowed as regulated by title 6, "Animals", of this code.

## EXHIBIT L

### SECTION 17.18.040(D)(4) (IMPACT CONTROL MEASURES)

#### 17.18.040(D)

4. Initial establishment of the following uses shall require a sound study when located within three hundred feet (300') of a property line of a residential zone, an existing dwelling unit, a religious assembly use, or an elementary, secondary education use:

- a. Outdoor animal activities associated with nonresidential uses, including kennels, runs and corrals.
- b. Drive-through facilities.
- c. Car washes or car vacuums.
- d. Nonresidential outdoor accessory uses.

## EXHIBIT M

### SECTION 17.20.020 (ESTABLISHMENT)

#### 17.20.020

The following land use zones are hereby established as described in this title and shall be applied to lands within the city according to procedures established by the city council. The zoning map, as amended, is adopted as part of this title and shall indicate the land use designations for individual lots and parcels in the city.

OS	Open space zone
A-5	Agricultural, 5 acre lot
A-1	Agricultural, 1 acre lot
R-1.8	Residential, 1.8 lots or units per acre— <del>all land currently zoned as R-1.8 may remain such, but no new land shall be assigned to this land use designation—</del>
R-2.5	Residential, 2.5 lots or units per acre
R-3	Residential, 3 lots or units per acre
R-4	Residential, 4 lots or units per acre
R-5	Residential, 5 lots or units per acre
R-M	Residential-multiple
P-O	Professional office
MU-Ngate	Redwood Road mixed use-north gateway
MU-R&D	Redwood Road mixed use-research and development
MU-City	Redwood Road mixed use-city center
MU-Hist	Redwood Road mixed use-historic and landmark
MU-Comm	Redwood Road mixed use-community center
MU-South	Redwood Road mixed use-south center
MU-Sgate	Redwood Road mixed use-south gateway

C-N	Commercial-neighborhood
C-C	Commercial-community
C-F	Commercial-freeway
BH-MU	Bangerter Highway mixed use
P-C	Planned community
MU	Mixed use
I-F	Industrial-freeway
C-I	Commercial-industrial

## EXHIBIT N

### SECTION 17.90.020(C) (DEVELOPMENT AND DESIGN STANDARDS)

#### 17.90.020

C. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title (Planning and ~~Zoning~~land-use ~~Code~~Ordinance), in industrial zones.

## EXHIBIT O

### SECTION 17.130.020.005(A) (RESIDENTIAL CHICKENS FLOATING ZONE)

#### 17.130.020.005

A. Residential Land Use Requirement: The raising of chickens in residentially zoned areas is permitted, subject to the regulations established herein, for minimum ten thousand (10,000) square foot residential lots within the P-C and single-family residential R zones, ~~including lots located in PUD subdivisions~~. Standards for raising chickens on agriculturally zoned properties are regulated based upon animal requirements under the A-1 and A-5 zones set forth in this chapter.